


May 15, 2015

To: Town Council

From: Todd Dumais, Town Planner 

**SUBJECT: 49 & 51 NORTH MAIN STREET
SPECIAL DEVELOPMENT DISTRICT
ADMINISTRATIVE AMENDMENT (SDD #37-R1-15)**

I have received an administrative amendment request from Attorney Paul Keily, on behalf of Dolores K. Cusson, the owner of 49 and 51 North Main Street, for revisions to the approved Special Development District plan (SDD #37) located at 49 and 51 North Main Street. The request is for minor modifications to the approved parking and for minor modifications to the approved landscaping. The modifications to the parking layout include the creation of one additional parking space.

Attached are a narrative and supporting plans which further explain the proposal.

The requested modifications fall within the approval powers contained in *Section 177-44C (9)* of the Code of Ordinances. This section allows the Town Planner to approve minor adjustments to limited plan elements of an SDD, in this instance, to *Section 177-44C (9)(b)* The type, size, number and location of plantings required for landscaping purposes (but not those required for screening from adjacent residential areas) may be adjusted by the substitution of other plantings in the same class (deciduous or nondeciduous); by plantings whose size differs by up to 10% of that required by the SDD ordinance; and by locating plantings within a radius of 50 feet from a site specified in the SDD ordinance and *Section 177-44C (9) (c)* the arrangement of parking spaces within a designated area may be adjusted, and the number of required parking spaces (including the mixture of types of spaces required) may be adjusted by up to a cumulative total of 10% of the required number of spaces or 10 spaces, whichever is less. It is my opinion that the plan, as modified, is in accordance with the purpose of the original SDD approved by the Town Council.

The purpose of the memo is to notify the Town Council of my intention to approve the requested modifications. This notice of approval is given with the understanding that such action will not be effective until the day following the next regular meeting of the Town Council and that such notice of approval is given 10 days prior to such Council meeting. This matter would therefore appear as a regular agenda item on the Regular Town Council Meeting, *Tuesday, June 9th, 2015*. It is understood that the Town Council may reject my approval decision and direct that the modifications requested be considered under the provisions of *Section 177-44C (9)* which would require a complete application for amendment and requisite public hearing.

cc: Ronald Van Winkle, Town Manager
Mark McGovern, Director of Community Services
Paul Keily, Attorney

Joseph O'Brien, Corporation Counsel
Patrick Alair, Corporation Counsel
Subject SDD File

SD/TPZ/SDD/NorthMain_49_51_SDD#37_r1_15_May15



TOWN OF WEST HARTFORD

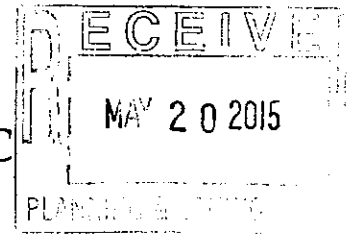
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Reply To: West Hartford Office

May 14, 2015

Mr. Todd Dumais
Town Planner
West Hartford Town Hall
50 South Main Street
West Hartford, CT 06107

Re: 49 & 51 North Main St. SDD#37 Administrative Amendment
Parking

Dear Mr. Dumais:

I represent the current owner, Dolores K. Cusson, who requests approval of a Special Development District (SDD) administrative amendment to add an additional parking space behind 51 North Main St. I have attached the plan of Peter Parizo, L.S. to this letter which shows where the new space is to be located. It is shown as space number 18 in the INSET SHOWING AMENDED PARKING LAYOUT in the upper left hand corner of his plan.

The 2 lots are segregated and are taxed separately, according to the Town Assessor. The lot line was never removed after the SDD was approved.

Ms. Cusson is presently selling 51 North Main St., which is the reason for this request. The buyer does not wish to have cross easements for parking. If this space is approved, then both 51 North Main and 49 North Main will have enough parking spaces each under the town regulations. In addition to adding this space, Ms. Cusson, prior to the sale, will grant a permanent easement for space number 9 to 51 North Main. This easement will be for the exclusive use and possession of 51 North Main owners and shall run with the land.

This will allow for 51 North Main to have the required 11 spaces based upon its uses and square footage and 49 North Main to have the required 8 spaces based upon its use and square footage.

Ms. Cusson hired Landscape Architect Jeff Gebrian to review the landscape plan as approved when the SDD was granted to determine compliance. Attached is the original plan with his notes indicating deficiencies. Also, attached is a rough plan showing the changes to be

made to bring the landscape into compliance with the original plan/town regulations, specifically Section 177-44C(9)(b). Ms. Cusson also requests an approval of the modified landscape plan, which is in compliance with the town regulations regarding SDD amendments.

Thank you for your much appreciated assistance in this matter.

Sincerely,

Paul/Keily